

**REMARKS**

In the Outstanding Action, the Examiner rejected all pending claims 1, 4-7, and 9-17. Additionally, the Examiner objected to claims 26 and 27. In this Response, Applicant amends claims 1, 6, 7, 26, and 27, cancels claims 26 and 27, and adds new claims 28-30. Support for the amendments is found in the originally-filed specification, claims, and figures. No new matter has been added. Upon entry of the foregoing amendments, Applicant respectfully requests reconsideration of pending claims 1, 4-7, 9-17, and 28-30 (1 independent claim, 17 total claims) in light of the following Remarks.

Preliminarily, Applicant thanks the Examiner for granting and conducting the telephonic interview with Applicant's representatives on September 18, 2007. During the interview, the Examiner and Applicant's representatives agreed that none of the cited prior art references teach or suggest Applicant's invention, which utilizes an electrowinning cell comprising a flow-through anode and a plate cathode. Accordingly, Applicant has amended the claims in light of the Examiner's suggested amendments and respectfully requests allowance of the presently recited claims.

**Claim Rejections under 35 USC §103(a)**

*Claims 1, 4-7, and 9-14*

Pending claims 1, 4-7, and 9-14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,622,615 ("Young") in view of U.S. Patent 3,972,795 ("Goens") and Japanese Patent 02-229788 ("Takasuka"). Applicant respectfully traverses as set forth herein. Accordingly, Applicant requests withdrawal of any rejections of these claims.

Significantly, the Examiner correctly asserts that Young does not disclose a flow-through anode. The Examiner, however, asserts that one of skill in the art would combine the

electrowinning cell disclosed in Young with the flow-through cell of Goens. Applicant respectfully disagrees.

Again, as agreed during the September 18 interview, Applicant has amended claim 1 to recite that the at least one cathode is a “plate cathode.” Accordingly, Applicant submits that Young, Goens, and/or Takasuka—alone or combined—fail to disclose each and every element of the presently claimed invention, and asserts that pending independent claim 1 is patentable. Additionally, claims 4-7, 9-14, and 28-30, which variously depend from claim 1, are likewise allowable. Thus, Applicant respectfully requests withdrawal of the rejection of pending claims 1, 4-7, and 9-14 (as amended) and submits that claims 1, 4-7, and 9-14 have been placed in condition for allowance.

#### *Claims 15-17*

Pending claims 15-17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Young in view of Goens and Takasuka in further view of U.S. Patent 5,492,608 (“Sandoval”). Applicant submits that because claims 15-17 variously depend from claim 1, they are allowable for the reasons set forth above. Accordingly, Applicant respectfully requests withdrawal of the rejection of pending claims 15-17 and submits that claims 15-17 have been placed in condition for allowance.

#### **Allowable Subject Matter**

Applicant thanks the Examiner for noting that claims 26 and 27 as previously presented are allowable. In light of the September 18 interview, Applicant has redrafted claims 26 and 27 as claims 29 and 30. Additionally, upon suggestion by the Examiner, Applicant has added new claim 28 directed to providing an electrolyte flow to an electrolytic cell through a plurality of injection holes. In turn, Applicant respectfully requests allowance of claims 28-30.

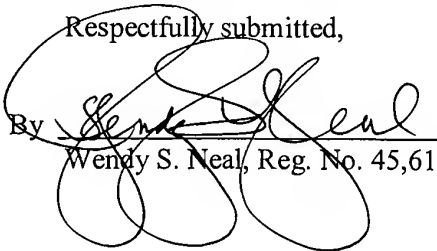
**CONCLUSION**

In light of the above amendments and remarks, Applicant respectfully submits all of the currently pending claims 1, 4-7, 9-17, and 28-30 (17 total claims, 1 independent) are in condition for allowance. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned.

Applicant authorizes and respectfully requests that any fees due be charged to Deposit Account No. 19-2814. **This statement does NOT authorize charge of the issue fee.**

Date 21 September 2007.

Respectfully submitted,

By   
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